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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JACOB SILVERMAN,
Petitioner,

v.

HUMBOLDT COUNTY CORRECTIONAL
FACILITY,
Respondent.

Case No. 16-CV-06758 LHK (PR)

ORDER OF DISMISSAL

Petitioner, a pretrial detainee proceeding *pro se*, filed a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On August 1, 2017, the court directed petitioner to file a notice with the court that petitioner either (1) consents to converting the petition to a civil rights complaint under 42 U.S.C. § 1983, or (2) withdraws the petition so that, if petitioner chose, he could file a separate civil rights case. The court warned petitioner that if he failed to choose either option within 28 days of the filing date of the order, the case would be dismissed without prejudice.

More than 28 days have passed since the court ordered petitioner to choose one of the two options and petitioner has not filed a notice or otherwise communicated with the court. Accordingly, this case is dismissed without prejudice. The clerk shall terminate all pending

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motions and close the file.

IT IS SO ORDERED.

DATED: _____

LUCY H. KOH
UNITED STATES DISTRICT JUDGE